Tanimura & Antle Fresh Foods, Inc.

Family/Medical Care Leave and Pregnancy Disability Leave

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1. The Company provides family/medical care leaves of absence to eligible employees who are temporarily unable to work because they need to fulfill family obligations as outlined below. The provisions in this section generally apply to all types of family and medical leaves, including pregnancy disability leaves. However, there are special provisions in bullet 2, below that only apply to pregnancy disabilities.

    a. Medical leaves and family care leave may be requested to care for an employee's newborn, adopted or foster child, to care for an employee's child, spouse or parent with a serious health condition or for an employee's own serious health condition.

        1. A "serious health condition" is any illness, injury, impairment or physical or mental condition that involves; (a) incapacity or treatment requiring in-patient care at a hospital, hospice or medical care facility; (b) incapacity requiring absence from work, school or other regular daily activities of more than 3-days that also involves continuing treatment by or under the supervision of a health care provider; or (c) continuing treatment by or under the supervision of a health care provider for prenatal care or for a chronic or long-term condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than 3-days. Generally, conditions like headaches, earaches, stomachaches and the flu do not qualify as serious health conditions unless there are complications.

        2. "Continuing treatment," means 2 or more visits to a healthcare provider. The term "healthcare provider" includes doctors of medicine and nurse practitioners, as well as certain other health care providers defined by applicable federal law. (Please consult with the Company's Human Resources Department for the current complete definition of the term "health care provider."

    b. To be eligible for family/medical care leave that is not pregnancy-related, an employee must have worked for the company for at least 12-months prior to the date upon which leave is to commence, and have worked at least 1,250-hours during the 12-months immediately preceding the leave.

c. Eligible employees should make requests for family care or medical leave to their supervisors at least 30 days in advance of foreseeable circumstances, and as soon as practicable for unforeseeable circumstances.

d. A health care provider's medical certification must be submitted to the employee's supervisor and the Company's Human Resources Department verifying the need for family care or medical leave. The medical certification should include the date on which the medical condition or family leave began, its probable duration and the ending date. Any changes in this information should be promptly reported to the Company's Human Resources Department. Employees returning from medical leaves necessitated by their own serious health condition must submit a healthcare provider's medical certification of their fitness to return to work to the Company's Human Resources Department.

e. Eligible employees may request up to a maximum of 12-weeks of family/medical care leave within a 12-month period that will run concurrently with applicable leaves under state and federal law. The 12-month period commences on the first day on which the first family/medical care leave is taken. Any combination of medical leave and family leave generally may not exceed this maximum limit, unless an employee is eligible for pregnancy disability leave and for childcare leave, or unless otherwise required by law. If the initial period of approved absence proves insufficient, consideration will be given to a request for an extension. Spouses who are both employed by the Company may take a maximum combined total of 12-weeks leave within any 12 month period for the birth, adoption or foster care of their child.

f. Subject to the terms, conditions, and limitations of the applicable health plans, the Company will continue to provide health insurance benefits for the period of the approved medical care leave up to a maximum of 12-weeks in a 12-month period, to the same extent and under the same terms and conditions as would apply had the employee not taken leave. If the employee fails to return from the leave, the Company may recover any health premiums paid by the Company on the employee's behalf during any unpaid periods of leave.

g. All other benefit accruals, such as holiday benefits, will be suspended during the leave and will resume upon return to active employment.

h. So that an employee's return to work can be properly scheduled, an employee on family/medical care leave is requested, if feasible, to provide the Company with at least 2-weeks advance notice of the date the employee intends to return to work.

i. If an employee fails to report to work promptly at the end of the approved medical or family leave period, the Company will discharge the employee for abandonment of position.

j. Employees returning from family/medical care leave are entitled to reinstatement to the same or a comparable position consistent with applicable law. The Company retains the right to deny reinstatement to employees who are among the highest paid ten percent (10%) of the Company's employees and whose reinstatement would cause substantial and grievous economic injury to the Company's operations.

k. Performance appraisals, scheduled or unscheduled salary increases, commissions, and all discretionary bonuses may be delayed by the amount of time taken for Family/Medical Care leave, Pregnancy Disability leave and or any other paid or unpaid leave provided.

l. Family/medical care leave will terminate in the event of death of the family member for whom the family/medical care leave is taken. Thereafter, bereavement leave is available.

    1. All accrued sick leave will run concurrently with your pregnancy and or FMLA/CFRA disability leave. (Note: One half (½) of available sick leave will run concurrently with FML if leave is for caring of a family member with a serious health condition). Use of such paid time will not extend the amount of leave available.

2. Any employee who is disabled on account of pregnancy, childbirth or related conditions may also take an unpaid pregnancy-related disability leave of up to 4-months, in addition to 12-weeks leave to care for a newborn child provided under the policy described above. The provisions of the Company's family/medical care leave provisions set forth above regarding the leave's effect on pay, notice requirements, medical certification requirements and employee reinstatement also apply to all employee pregnancy-related disability leaves. For the purpose of applying those provisions, the employee's pregnancy-related disability is considered to be a "serious health condition."